

Rec'd PCT/PTO 17 NOV 2006

10/02/2006 13:03 2034677233

RAYMOND A NUZZO

PAGE 01/04

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(To be used for all correspondence after initial filing)

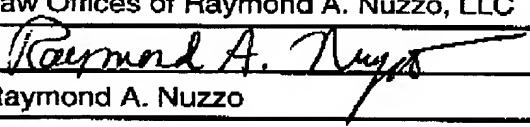
Total Number of Pages in This Submission

Application Number	10/550,076 (PCT/US04/09172)
Filing Date	9/20/2005
First Named Inventor	Fitz Walker, Jr.
Art Unit	
Examiner Name	
Total Number of Pages in This Submission	4
Attorney Docket Number	BAR 20299

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Provisional Application For Patent Cover Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

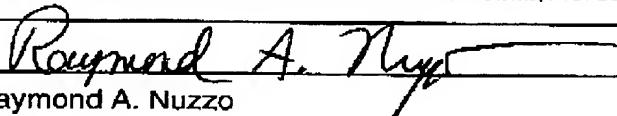
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Offices of Raymond A. Nuzzo, LLC		
Signature			
Printed name	Raymond A. Nuzzo		
Date	October 2, 2006	Reg. No.	37199

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature



Typed or printed name

Raymond A. Nuzzo

Date 10/2/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fitz Walker, Jr.

U.S. Application No.: 10/550,076

U.S. Application Filing Date: 9/20/2005

International Application No.: PCT/US04/09172

International Filing Date: 3/25/2004

Invention: System and Method for Rapidly Identifying Pathogens, Bacteria and Abnormal Cells

RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 USC 371

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On September 21, 2006, a Notification of Missing Requirements Under 35 USC 371 was issued in the above-referenced application. The aforesaid Notification states that an oath or declaration of the inventors was not filed in this application.

Applicant filed a Declaration of Inventorship Under Rule 4.17(iv) in the above-referenced

International application on March 25, 2004.

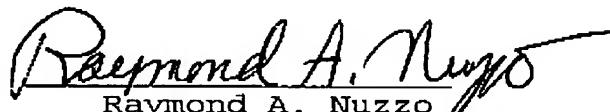
Attached is a true and exact copy of this aforesaid declaration under Rule 4.17(iv).

Therefore, Applicant submits that all requirements under 35 USC 371 were satisfied on **SEPTEMBER 20, 2005.**

Any questions concerning this response should be directed to the undersigned at 203-467-7895.

Respectfully submitted,

Date: October 2, 2006


Raymond A. Nuzzo
Attorney for Applicant
Reg. No. 37199

Law Offices of Raymond A. Nuzzo, LLC
579 Thompson Avenue
East Haven, CT 06512

Tel: 203-467-7895
Fax: 203-467-7233